04.11.05

066872-0020 (P-AR 4951)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RESPONSE UNDER 37 CFR 1.116 EXPEDITED PROCEDURE

Applicant

: DEVRIES, Gerald W.

Customer No.: 41552

Appl. No.

: 10/081,126

Confirmation No.: 8539

Filed

: February 22, 2002

Title

: METHODS OF EXTENDING CORNEAL

GRAFT SURVIVAL

Grp./A.U.

1644

Examiner:

HUYNH, Phuong N.

CERTIFICATE OF MAILING BY EXPRESS MAIL(37 CFR § 1.10)

"Express Mail" Mailing Label Number EV 347545613 US

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §

1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Apr 7, 2005.

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated October 8, 2004 of the Primary Examiner finally rejecting claims 8-10, 15 and 26-38.

Appeal Fee:

\$500.00

X

Charge to Deposit Account No. 502624.

Respectfully submitted,

04/12/2005 EFLORES 00000005 502624

10081126

01 FC:1401

500.00 DA

Registration No. 44,048

4370 La Jolla Village Drive, Suite 700

San Diego, CA 92122

Phone: 858.535.9001 DLC:MWE

Facsimile: 858.597.1585 **Date: April 7, 2005**

Please recognize our Customer No. 41552 as

our correspondence address.